

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**IN THE MATTER OF:**

USS/KOBE Steel Company  
Lorain, Ohio

Proceedings Pursuant to  
Section 113(a)(1) of the  
Clean Air Act, 42 U.S.C.  
§ 7413(a)(1)

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) **NOTICE OF VIOLATION**  
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) **EPA-5-99-OH-02**  
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**Statutory Authority**

Pursuant to Section 113(a)(1) of the Clean Air Act (Act), 42 U.S.C. § 7413(a)(1), the Administrator of the United States Environmental Protection Agency (U.S. EPA), by authority duly delegated to the undersigned, hereby notifies the State of Ohio and USS/KOBE Steel Company (USS/KOBE) that U.S. EPA finds USS/KOBE at 1807 East 28th Street, Lorain, Ohio, to be in violation of the Ohio State Implementation Plan (SIP), as follows:

**Regulatory Background**

1. On May 27, 1994, U.S. EPA approved Ohio Rule 3745-17-08 as part of the federally enforceable SIP for the State of Ohio, 59 Fed. Reg. 27464.
2. On May 27, 1994, U.S. EPA approved Ohio Rule 3745-17-11 as part of the federally enforceable SIP for the State of Ohio, 59 Fed. Reg. 27464.
3. **Rule 3745-17-08** provides in relevant part: "(A)(1) Except as otherwise indicated in paragraph (A)(4) of this rule, the requirements of paragraph (B) of this rule shall apply to any fugitive dust source which is located within the areas identified in "Appendix A" of this rule...any such source shall comply with the requirements of paragraph (B) of this rule upon the effective date of this rule. (B) No person shall cause or permit any fugitive dust source to be operated...without taking or installing reasonably available control measures to prevent fugitive dust from becoming airborne. Such reasonably available control

measures shall include, but not be limited to, one or more of the following which are appropriate to minimize or eliminate visible emissions of fugitive dust: (3) The installation and use of hoods, fans, and other equipment to adequately enclose, contain, capture, vent and control the fugitive dust. Such equipment shall be deemed adequate by the director if: (a) The collection efficiency is sufficient to minimize or eliminate visible emissions of fugitive dust at the point(s) of capture to the extent possible with good engineering design; and (b) The control equipment achieves an outlet emission rate of not greater than .030 grains of particulate emissions per dry standard cubic foot of exhaust gases or there are no visible emissions from the exhaust stack(s), whichever is less stringent."

4. **Rule 3745-17-11** provides in relevant part: "This rule applies to any operation, process, or activity which releases or may release particulate emissions into the ambient air expect...(f) The generation of fugitive dust which the director has determined is subject to the requirements of rule 3745-17-08 of the Administrative Code. (B)(1)...any owner or operator of a source of particulate emissions which is located within the following counties shall operate said source so that the particulate emissions do not exceed the allowable emission rate specified by "curve P-1" of "Figure II" or by "Table I" whichever is applicable under paragraph (A)(2) of the rule...Lorain."

#### **Factual Background**

5. USS/KOBE owns and operates an integrated steel mill located at 1807 East 28th Street, Lorain, Ohio.
6. USS/KOBE operates the No. 3 Seamless Rotary Mill which is a fugitive dust source.
7. Emissions from the No.3 Seamless Rotary Mill are subject to the Particulate Matter Standards set forth in the Ohio SIP at OAC 3745-17-08 or OAC 3745-17-11.


**Findings of Violation**

8. On August 19 and 20, 1997 and September 11, 1997, USS/KOBE conducted emission testing on the No.3 Seamless Rotary Mill. Both tests measured inlet rates. The results of these tests show average emissions of 0.82 grs/dscf and 0.37 grs/dscf, resulting in outlet emissions in violation of the limits set forth in OAC 3745-17-08 and OAC 3745-17-11, respectfully.

**Notice of Violation**

The Administrator of the U.S. EPA, by authority duly delegated to the undersigned, notifies the State of Ohio and USS/KOBE that USS/KOBE as described above is in violation of the applicable Ohio SIP as set forth in the NOV.

12/31/99  
Date

  
Stephen Rothblatt  
Acting Director  
Air and Radiation Division

CERTIFICATE OF MAILING

I, Shwanda Mayo, do hereby certify that a Notice of Violation Pursuant to the Clean Air Act was sent by Certified Mail, Return Receipt Requested, to:

Leonard H. Chuderewicz, President  
USS/Kobe Steel Company  
1807 East 28th Street  
Lorain, Ohio 44055

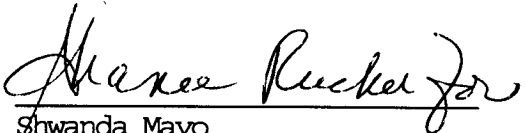
I also certify that a copy of the Notice of Violation Pursuant to the Clean Air Act was sent by First Class Mail to:

Robert Hodanbosi, Chief  
Division of Air Pollution Control  
Ohio EPA  
Lazarus Government Center  
P.O. Box 1049  
Columbus, Ohio 43216-1049

and

Dennis Bush, Air Pollution Control Supervisor  
Northeast District Office  
2110 E. Aurora Road  
Twinsburg, Ohio 44087

on the 31 day of December 1998.

  
Shwanda Mayo  
AECAS (OH/MN)

CERTIFIED MAIL RECEIPT NUMBER: P664 397114